



May 3, 2002

National Organic Standards Board

A Division of The Synergy Company

RE: Petition for amendment of National List, Section 205.602
Nonsynthetic substances prohibited for use in organic crop production

Dear Boardmembers,

We wish to "weigh in" in support of the petition filed by Cyanotech and Earthrise, Spirulina producers, for amendment of sections of the National List that effectively prohibit the use of sodium nitrate in organic spirulina production. We have purchased organic spirulina for many years, and it is an integral, sizeable component of our best selling product, Pure Synergy™. Pure Synergy is labeled and marketed as a dietary supplement that is "Made With Organic Ingredients", but without access to certified organic spirulina, we will not be able to maintain the 70% organic total. The loss of the organic claim for this product will irreparably harm our business.

We are members of the OTA, and our dietary supplements are certified organic by Quality Assurance International. We think that it is very important to encourage the dietary supplements industry to value and use organic ingredients. The Synergy Company was founded 10 years ago with a commitment to using organic ingredients wherever possible, and we have often felt rather isolated, as there were few dietary supplement manufacturers joining us in this. Cyanotech, and more recently, Earthrise, have stepped up to the table and demonstrated a very strong commitment to organic products. In our experience, both of these companies have supported the concept of better regulations for the organic industry, and it would be ironic if the federal organic regulations prove their undoing (and such a result could potentially discourage other dietary supplement manufacturers from joining the organic movement).

It seems apparent to us that closed-culture ponds should be considered on their own merits as a distinct form of production, and that it is very short-sited to lump them together with soil or land-based agriculture and the restrictions appropriate on land. We agree with the spirulina producers, for the reasons stated in their petition, that the land-based practices restricting sodium nitrate should not apply to the lined, closed-culture ponds in which spirulina is grown.

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As the organic industry "comes of age" and becomes more comprehensively regulated, it seems to us of critical importance that our industry remain grounded in the values that gave birth to the organic movement, lest those values be lost to bureaucratic structure. Those of us who have for many years dedicated our businesses and personal practices to walk the organic talk fully support agricultural practices that are sustainable and which do not harm the environment, and we favor rules that promote responsible, credible organic practices and products. In this spirit, we respectfully request that the NOSB allow the use of sodium nitrate as a crop production material for *Spirulina* production and allow the spirulina produces to continue to serve the organic community.

Sincerely,

A handwritten signature in black ink, appearing to read 'Susan Ulery', with a stylized, flowing script.

Mitchell M. May, Ph.D.
CEO
The Synergy Company

Susan Ulery
Quality Assurance Manager
The Synergy Company